THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.17435 of 2007

Date: 14-08-2007.

Between :

M/s.P.Narasimha Rao & Co., Nandyal,
Rep. by its Managing Partner.

.....Petitioner

And

The Commercial Tax Officer-I, Nandyal & others.

.....Respondents.

THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.17435 of 2007

ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

The controversy is that pending an appeal, application for stay was dismissed by the competent authority. We have gone through the record. We feel that the interests of justice would have been met if stay was granted pending appeal, subject to deposit of half of the liability. Therefore, we set aside the order of the authority and direct that half of the disputed tax liability shall be paid by the petitioner within a period of six weeks from today. For six weeks, there shall be an unconditional stay and stay shall continue till disposal of appeal, provided the amount is deposited within the stipulated time. The deposit of amount shall be without prejudice to the rights of the petitioner in appeal. If any amount has already

been paid by the petitioner, the same shall be given credit.

Writ Petition is disposed of accordingly. No costs.

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BILAL NAZKI, J

14th August 2007.

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N.B: NOOTY RAMAMOHANA RAO, J

Order by wire at party's cost.

(b/o)

ajr